

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code sections 15.104 and 15.106, the Iowa Department of Economic Development adopts an amendment to Chapter 23, "Iowa Community Development Block Grant Program," Iowa Administrative Code.

This amendment will allow the Department to reallocate funding from one of the funding categories to a different one. Subrule 23.4(4) requires that 20 percent of the CDBG funding be reserved for Economic Development Set-Aside (EDSA) business assistance projects. This amendment allows the Department to reallocate up to \$5 million of currently unobligated EDSA funds to the contingency fund established in subrule 23.4(5). The reallocated funds will be used for disaster recovery business assistance projects.

The Iowa Economic Development Board adopted this amendment on September 26, 2008.

In compliance with Iowa Code section 17A.4(2), the Department finds that notice and public participation are impracticable and contrary to the public interest because there is an urgent need to provide funds to businesses impacted by the 2008 natural disasters. The reallocation of existing CDBG funds confers a benefit on the public by transferring funds to the contingency fund so that assistance can begin to be released in a timely manner to businesses affected by the natural disasters.

The Department finds, pursuant to Iowa Code section 17A.5(2)"b"(2), that the normal effective date of the amendment should be waived and the amendment be made effective upon filing with the Administrative Rules Coordinator on September 26, 2008. This amendment confers a benefit on the public by allowing the Department to reallocate funding to address emergency disaster recovery needs.

This amendment became effective on September 26, 2008.

This amendment is intended to implement Iowa Code section 15.108(1)"a."

The following amendment is adopted.

Amend subrule 23.4(4) as follows:

23.4(4) *Job creation, retention and enhancement fund.* Twenty percent of the funds shall be reserved for a job creation, retention and enhancement fund to be for workforce development and to expand economic opportunities and job training for LMI persons. Job creation, retention and enhancement funds are awarded through three programs: the economic development set-aside (EDSA), the public facilities set-aside (PFSA), and career link. For CDBG federal program year 2008 only (October 1, 2007, through September 30, 2008), up to \$5 million of funding normally allocated to this job creation, retention and enhancement fund may be allocated by the department to the contingency fund established in subrule 23.4(5). The funds will be used for disaster recovery business assistance projects.

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